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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,613	12/14/2005	Pietro Bigoni	377/9-2179	7269

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EXAMINER

MILLER, SAMANTHA A

ART UNIT	PAPER NUMBER
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3749

MAIL DATE	DELIVERY MODE
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06/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/560,613

Applicant(s)

BIGONI, PIETRO

Examiner

Samantha A. Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Response to Amendment Receipt of applicant's amendment filed on 3/28/2007 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by SZATMARY (Pat. 5,997,399). SZATMARY teaches in the specification and Figs.1- 6 an invention in the same field of endeavor as applicant's invention that is described in the applicant's claims.

8. One or more enclosing panel means (12, 82) assembled together to define an inner environment (in 12 and 82) within which the packaging machine is located, at least one juncture located adjacent an edge (at 64) of the one or more enclosing panel means, at least one panel means being a movable wing (12 and 82 have a left wing from centrally located motor and a right wing), hinged (by 68 pivot air to adjust direction 78) to an upright of the enclosing structure (col.5 ll.38-48), said panel means separating an inner environment (of purified air) of the enclosing structure which is substantially enclosed and isolated from an outer environment (ambient air) (col.6 ll.15-22), said panel means formed by a first panel (36, 64) and a second panel (vertical side of 82),

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coupled together (64 and 82) and fastened in a facing relation on opposite sides (left and right, Fig.1) of a frame (26), the first panel and the second panel located at a prefixed distance relative to each other to form an intermediate space (18, 20, 72) therebetween, a flow of purified air (40, 41, 70) being circulatable therethrough (col.2 l.57, col.3 ll.1-4 and ll.51-56, col.5 ll.16-19); said first panel facing said inner environment and having at least one inner conveying channel (38 to 34) for passing purified air (40, 41) by the frame (26) situated near at least one edge (edge of 36 and 38) (Fig.1) of said first panel, said channel being in fluid communication with said inner environment, so that a flow of purified air passes from the intermediate space through the inner conveying channel toward the inner environment at the at least one edge (Fig.1) (col.3 ll.36-47); said second panel (vertical side of 82) facing said outer environment (ambient air) and having at least one outer conveying channel (64 to bottom of 84, Fig.1) for passing purified air by the frame situated near the at least one edge of said second panel (at 82 and 64, Fig.1), said outer conveying channel being in fluid communication with said outer environment, so that a flow of purified air (70) passes from said intermediate space (72) through said outer conveying channel toward the outer environment (downwards) at the at least one edge, the purified air passing through the inner conveying channel and the outer conveying channel forming a fluid-dynamic sealing barrier (air curtain, col.3 ll.48-61 and col.5 ll.10-32) at the edge of the panel means for preventing contaminants from entering the inner environment at the panel edge.

9. The diverting baffle plates (68) situated in said intermediate space (18, 20, 72) for facilitating conveyance of said flow of purified air (40, 41, 70) toward said inner and outer conveying channels (35, 38, 64, bottom of 84) (Fig.1).

10. The at least two adjacent panel means are each movable wings (12 and 82 have a left wing from centrally located motor and a right wing), hinged (by 68 pivot air to adjust direction 78) to uprights of the structure (col.5 ll.38-48), the two wings having edges in a facing relation defining an intermediate area (18, 20, 72) (Fig.1) therebetween, a further channel being defined by the opposed edges of the wings in said intermediate area; said further channel being in fluid communication with the intermediate space of each of said wings, each of which has inner conveying channels and outer conveying channels which direct purified air into the further channel, a flow of purified air circulating through said further channel directed from said intermediate space to said outer environment; and a flow of purified air circulating through said further channel directed from said intermediate space to said inner isolated environment, such that no contaminants can pass through the intermediate area to contaminate the inner environment (col.2 l.57, col.3 ll.1-4 and ll.51-56, col.5 ll.16-19).

11 . At least one inspection aperture (42) made in a panel means (12) (shown to open and close in Figs. 1 and 5), said aperture having isolating pneumatic (air curtain 40) means coupled thereto to form a fluid-dynamic barrier (air curtain) extending along an entire length of the aperture (col.3 ll.38-45 and 53-57).

12. The isolating pneumatic means include at least one first conduit (35) and at least one second conduit (34), situated on opposite sides of said aperture (42), said first

conduit having a series of nozzles (formed in duct 36 as holes 38) for delivering compressed purified air directed towards said second conduit, said second conduit having openings for receiving the air coming from the nozzles of said first conduit to provide an air curtain therebetween (col.3 ll.38-45 and 53-57) (Figs.1 and 5).

Response to Arguments

1. Applicant's arguments filed March 28, 2007, have been fully considered but they are not persuasive.

2. Applicant contends that SZATMARY does not teach a clean air environment, inner and outer conveying channels, fluid-dynamic sealing barrier, a hinged panel, a pair of panel, or an intermediate space. However, claims are afforded their broadest reasonable interpretation.

In this instant application, claims 8-12 merely require two environments one inner and one outer with each environment having conveying channels, a fluid-dynamic sealing barrier, a hinged panel, and a pair of panels that enclose an intermediate space. It should be readily apparent that SZATMERY teaches two environments one containing ambient non-clean air mixed with purified air (72) and one containing only purified air (20) (col.3 ll.21-35 and col.5 ll.20-31), the two environments have air channeling through them in one from 38 to 34 as an inner channel and one from 64 to bottom of 84 as an outer channel, there are air curtains 70 and 40 in each environment (col.3 ll.47-61 and col.5 ll.10-19), the air curtains are fluid-dynamic sealing barriers from contaminated air

(col.3 ll.47-61 and col.5 ll.10-19), panels are hinged at 68 to direct airflow (col.3 ll.38-48), and the panels 12 and 82 are two panels that encloses an intermediate space of 18, 20, and 72 (Fig.1).

3. Claims 8-12 limitations have been clearly addressed above.

Therefore, for the reasons above, the grounds of rejection of claims 8-12 are deemed proper.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR '1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

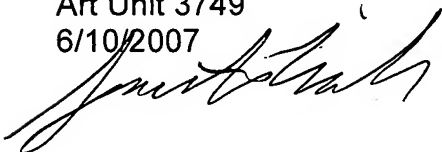
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samantha A. Miller whose telephone number is 571-272-9967. The examiner can normally be reached on Monday - Thursday 9:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Rinehart can be reached on 571-272-4881. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Samantha Miller
Examiner
Art Unit 3749
6/10/2007



KENNETH RINEHART
PRIMARY EXAMINER